

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FYI MEDIA WORLD  
PHOTOGRAPHIC, *et al.*,

Plaintiffs,

v.

BEVEE, LLC, *et al.*,

Defendants.

Case No. 2:14-cv-00541-LDG (PAL)

**ORDER**


Defendant Bevee, LLC, moves for reconsideration (#43) of this Court's decision to deny its motion, in the alternative, to transfer venue. The sole argument asserted by Bevee in seeking reconsideration is that this Court failed to articulate its reasons for denying the motion. A review of the Bevee's original motion establishes that, in moving for a transfer of venue to the Western District of Washington, it argued that a transfer was appropriate because the individual defendants resided in the State of Washington, that two third-party witnesses resided in the State of Washington, and that the alleged infringement occurred in the State of Washington. Bevee did not identify the witnesses it suggested would be inconvenienced, nor did it provide a general summary of the testimony those witnesses would provide.

1 Pursuant to 28 U.S.C. §1404(a), the Court may transfer jurisdiction to another venue  
2 where it might have been brought “for the convenience of the parties and witnesses, in the  
3 interest of justice.” This Court has broad discretion in deciding a motion to transfer venue.  
4 *Lou v. Belzberg*, 834 F.2d 730, 734 (9<sup>th</sup> Cir. 1987). To succeed on its motion, Bevee had  
5 the burden of making a “strong showing of inconvenience to warrant upsetting the  
6 plaintiff[s]’ choice of forum.” *Decker Coal Co. V. Commonwealth Edison Co.*, 805 F.2d 834,  
7 843 (9<sup>th</sup> Cir. 1986). A transfer pursuant to §1404(a) is not warranted merely to shift the  
8 inconvenience from one party to the other. Bevee’s original motion indicated nothing more  
9 than an attempt to shift the inconvenience of defending this action in Nevada to the  
10 inconvenience of the plaintiffs in prosecuting this action in Washington. Bevee’s motion for  
11 reconsideration fails to provide any additional basis to suggest that a transfer is appropriate  
12 pursuant to §1404(a).

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14 Accordingly,

15 THE COURT **ORDERS** that Defendant Bevee, LLC’s Motion for Reconsideration  
16 (#43) is DENIED.

17  
18 DATED this 15 day of May, 2015.

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21 Lloyd D. George  
22 United States District Judge  
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